



CITY UTILITIES COMMITTEE
REGULAR COMMITTEE MEETING
~Minutes~

Atlanta City Hall
55 Trinity Ave.
Atlanta, GA 30303
<http://www.atlantaga.gov/>

CITY OF ATLANTA

Chairperson
The Honorable Natalyn Mosby Archibong

Santana Kempson Wright
(404) 330-6579
skempson@atlantaga.gov

Tuesday, September 23, 2014

9:30 AM

Committee Room 2

A. CALL TO ORDER

The regularly scheduled meeting of the **City Utilities Committee** was held on **Tuesday, September 23, 2014**, at **9:37 AM**, in **Committee Room 2**. The following members were present:

B. INTRODUCTION OF MEMBERS

| Attendee Name | Title | Status | Arrived |
|-------------------------|-------------------------------|---------------|----------------|
| Natalyn Mosby Archibong | Chair | Present | 9:32 AM |
| Ivory Lee Young Jr. | Vice Chair | Present | 9:34 AM |
| Yolanda Adrean | Councilmember, District 8 | Present | 9:30 AM |
| Andre Dickens | Councilmember Post 3 At-Large | Present | 9:30 AM |
| Joyce Sheperd | Councilmember, District 12 | Present | 9:35 AM |
| Howard Shook | Councilmember, District 7 | Present | 9:42 AM |
| Alex Wan | Councilmember, District 6 | Present | 10:11 AM |

Others in Attendance:

Councilmembers Carla Smith, Felicia A. Moore and Mary Norwood; Cathy Hampton, City Attorney, Stefanie Grant, Marc Goncher, Roger Bhandari, Renee Sheperd, Peter Andrews and Patrick McShane, **Law Department**; Commissioner Richard Mendoza, Rita Braswell and Cotena Alexander, **Department of Public Works**; Commissioner JoAnn Macrina; Deputy Commissioners Mohammed Balla, Margaret Tanner, Oz Hill and Frank Stephens, **Department of Watershed Management**; Mark Haldane, **Office of Enterprise Assets Management (OEAM)**; Michael Geisler and Katrina Taylor Parks, **Office of the Mayor**; members of the public, press and Council Staff.

C. ADOPTION OF AGENDA - ADOPTED AS AMENDED TO ADD 3 RESOLUTIONS

D. APPROVAL OF MINUTES – APPROVED

E. PUBLIC COMMENT PERTAINING TO ITEMS ON THE AGENDA (3 MINUTES)
RON SHAKIR, PUBLIC SPEAKER

F. PRESENTATION

1. Watershed Investigation - Law Department and et al.-Cathy Hampton, City Attorney

G. ORDINANCES FOR SECOND READING

14-O-1460 (1) AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2015 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF FOUR HUNDRED EIGHTY-THREE THOUSAND, FIVE HUNDRED EIGHTY-TWO DOLLARS AND ZERO CENTS (\$483,582.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVES FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE HEMPHILL RESERVOIR NO. 1 EMBANKMENT REPAIR PROJECT; AND FOR OTHER PURPOSES. **(Held 9/23/14 at the request of the Department)**

RESULT: HELD IN COMMITTEE

14-O-1461 (2) AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE DOCUMENTS THAT WOULD GRANT PERMANENT EASEMENT RIGHTS TO THE GEORGIA POWER COMPANY ACROSS CITY-OWNED PROPERTY OPERATED BY THE DEPARTMENT OF PUBLIC WORKS AT 23 CLAIRE DRIVE IN LAND LOT 72 OF THE 14TH DISTRICT; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE

AYES: Archibong, Young, Jr., Adrean, Dickens, Sheperd, Shook

ABSENT: Wan

MARK HALDANE, OEAM

14-O-1472 (3) AN ORDINANCE BY COUNCILMEMBER CARLA SMITH AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2015 (WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052)) BUDGET IN THE AMOUNT OF SIXTEEN MILLION DOLLARS AND NO CENTS (\$16,000,000.00) TO TRANSFER FUNDS FROM THE WATER AND WASTEWATER RENEWAL AND EXTENSION FUND WATERSHED RESERVE AND ADD TO APPROPRIATIONS FOR THE SOUTHEAST ATLANTA GREEN INFRASTRUCTURE INITIATIVE PHASE 2C PROJECT; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE ON CONDITION

AYES: Archibong, Young, Jr., Adrean, Dickens, Sheperd, Shook, Wan

MARGARET TANNER, DWM

COMMISSIONER JOANN MACRINA, DWM

TANYA WASHINGTON, PUBLIC SPEAKER

EL BAKER, PUBLIC SPEAKER

H. RESOLUTIONS

14-R-4224 (4)

A RESOLUTION BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR TO ISSUE A TASK ORDER TO ATC ASSOCIATES, INC. AND C.E.R.M., INC., A JOINT VENTURE FOR FC-4918A, GEOTECHNICAL, ENVIRONMENTAL ENGINEERING, TESTING AND INVESTIGATION SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, FOR PHASE II - SUBSURFACE EXPLORATION AND LABORATORY TESTING FOR THE WATER SUPPLY PROGRAM PROJECT IN AN AMOUNT NOT TO EXCEED ONE MILLION, TWO HUNDRED FIFTY-THREE THOUSAND, THIRTY-THREE DOLLARS AND FIFTY-FOUR CENTS (\$1,253,033.54); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM 5052 (WATER & WASTEWATER R&E FUND), 171003 (DWM WATER LINEAR MAINT/REPAIR), 5212001 (CONSULTING) 4440000 (DISTRIBUTION) 111736 (RAW WATER DELIVERY PROJECT) AND PROJECT TASK AWARD EXPENDITURE AND ACCOUNT NUMBER 17111736 (RAW WATER DELIVERY PROJECT) 103 (GEO-TECH. SVCS) 505221391 (WATER AND WASTEWATER R&E FUND) 5212001 (CONSULTING) COA; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE ON CONDITION

AYES: Archibong, Young, Jr., Adrean, Dickens, Sheperd, Shook, Wan

FRANK STEPHENS, DWM

14-R-4225 (5)

A RESOLUTION BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR TO ISSUE A TASK ORDER TO UNITED CONSULTING, INC., FOR FC-4918B, GEOTECHNICAL, ENVIRONMENTAL ENGINEERING, TESTING AND INVESTIGATION SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, FOR TASK 2 – ADDITIONAL TUNNEL BORINGS FOR THE WATER SUPPLY PROGRAM IN AN AMOUNT NOT TO EXCEED ONE MILLION, ONE HUNDRED EIGHTY-FIVE THOUSAND, NINE HUNDRED FORTY-EIGHT DOLLARS AND NINETEEN CENTS (\$1,185,948.19); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM 5052 (WATER & WASTEWATER R&E FUND) 171003 (DWM WATER LINEAR MAINT/REPAIR) 5212001 (CONSULTING) 4440000 (DISTRIBUTION) AND PROJECT TASK AWARD EXPENDITURE AND ACCOUNT NUMBER 17111736 (RAW WATER DELIVERY PROJECT), 103 (GEO-TECH. SVCS), 505221391 (WATER AND WASTEWATER R&E FUND) 5212001 (CONSULTING) COA; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE ON CONDITION

AYES: Archibong, Young, Jr., Adrean, Dickens, Sheperd, Shook, Wan

FRANK STEPHENS, DWM

COMMISSIONER JOANN MACRINA, DWM

MICHAEL GEISLER, COO

KATRINA TAYLOR PARKS, DEPUTY COS

CATHY HAMPTON, CITY ATTORNEY

I. PAPERS HELD IN COMMITTEE

- 14-O-1025 (1) AN ORDINANCE BY COUNCILMEMBERS JOYCE SHEPERD, HOWARD SHOOK, C. T. MARTIN AND FELICIA A. MOORE AMENDING CHAPTER 2 (“ADMINISTRATION”), ARTICLE XVI (“BOARDS, COUNCILS, COMMISSIONS AND AUTHORITIES”), DIVISION 2 (“CLEAN CITY COMMISSION”) OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO RENAME DIVISION 2 FROM THE CLEAN CITY COMMISSION TO THE KEEP ATLANTA BEAUTIFUL COMMISSION; TO MOVE THE POSITION OF EXECUTIVE DIRECTOR FOR KEEP ATLANTA BEAUTIFUL UNDER THE PURVIEW OF THE DEPARTMENT OF PUBLIC WORKS; TO DIRECT KEEP ATLANTA BEAUTIFUL TO PROVIDE THE CITY COUNCIL ON A BI-ANNUAL BASIS A PERFORMANCE AUDIT OF ALL ACTIVITIES; AND FOR OTHER PURPOSES. **(Held 1/14/14 to present to the NPUs)**

RESULT: HELD IN COMMITTEE

- 14-O-1240 (2) AN ORDINANCE BY CITY UTILITIES COMMITTEE AMENDING CHAPTER 138, ARTICLE IV, SECTIONS 138-76 AND 138-96, AND APPENDIX B, OF THE CITY OF ATLANTA CODE OF ORDINANCES TO INCREASE RESIDENTIAL SIDEWALK INSTALLATION FEES WHEN THE CITY OF ATLANTA DIRECTLY PROVIDES THE INSTALLATION SERVICES; AND FOR OTHER PURPOSES. **(Public Hearing held 5/27/14) (Held 5/27/14 to be reviewed by the NPUs)**

RESULT: HELD IN COMMITTEE

- 14-O-1241 (3) AN ORDINANCE BY CITY UTILITIES COMMITTEE AMENDING CHAPTER 130, (“SOLID WASTE MANAGEMENT”), ARTICLE II, (“MUNICIPAL COLLECTION AND DISPOSAL SYSTEM”), DIVISION 1, (“GENERALLY”) AT SECTION 130-44 OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO ESTABLISH A PERMITTING SYSTEM FOR COMMERCIAL SOLID WASTE COLLECTION AND HAULING SERVICES BY PRIVATE SERVICE PROVIDERS WITHIN THE CITY OF ATLANTA; TO IMPOSE APPLICATION FEES, PERMIT FEES AND INFRASTRUCTURE MAINTENANCE FEES; TO ESTABLISH WASTE STREAM REPORTING REQUIREMENTS; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO CREATE THE ACCOUNTS NECESSARY TO PLACE SAID INFRASTRUCTURE MAINTENANCE FEE IN A RESERVE FOR INFRASTRUCTURE MAINTENANCE EXPENSES; AND FOR OTHER PURPOSES. **Public Hearing held 5/27/14) (Held 5/27/14 to be reviewed by the NPUs)**

RESULT: HELD IN COMMITTEE

- 14-O-1242 (4) AN ORDINANCE BY CITY UTILITIES COMMITTEE AMENDING CHAPTER 138, “STREETS, SIDEWALKS AND OTHER PUBLIC PLACES”, ARTICLE III, “CONSTRUCTION OR EXCAVATION IN THE RIGHT-OF-WAY”, AT SECTION 138-69 OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO ESTABLISH A PAVEMENT DEGRADATION RECOVERY FEE TO BE CHARGED TO THE APPLICANT FOR CONSTRUCTION OR EXCAVATION IN THE RIGHT-OF-WAY PERMITS; AND FOR OTHER PURPOSES. **Public Hearing held 5/27/14) (Held 5/27/14 to be reviewed by the NPUs)**

RESULT: HELD IN COMMITTEE

14-O-1311 (5) AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2015 (WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052)) BUDGET IN THE AMOUNT OF SIX HUNDRED EIGHTY-TWO THOUSAND DOLLARS AND ZERO CENTS (\$682,000.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE CUSTER AVE. SOUTHEAST ATLANTA GREEN INFRASTRUCTURE INITIATIVE PHASE I PROJECT; AND FOR OTHER PURPOSES. **(Held 6/24/14 at the request of the department)**

RESULT: FAVORABLE ON CONDITION

AYES: Archibong, Young, Jr., Adrean, Dickens, Sheperd, Shook, Wan

MARGARET TANNER, DWM
KATRINA TAYLOR PARKS, DEPUTY COS
COUNCILMEMBER CARLA SMITH, DISTRICT 1

14-O-1361 (6) AN ORDINANCE BY COUNCILMEMBERS MARY NORWOOD, YOLANDA ADREAN, HOWARD SHOOK, CARLA SMITH, NATALYN ARCHIBONG, KEISHA LANCE BOTTOMS, MICHAEL BOND, IVORY L. YOUNG, JR. AND ANDRE DICKENS AS SUBSTITUTED BY CITY UTILITIES COMMITTEE REPEALING AND DELETING PART 2, CHAPTER 138, ARTICLE 1, SECTION 138-14(D) TITLED "MAINTENANCE OF SIDEWALK AREA"; TO AMEND PART 2, CHAPTER 138, ARTICLE 4, SECTION 138-103 TITLED "INSPECTION AND REPAIR OF SIDEWALKS"; AND FOR OTHER PURPOSES. **(Substituted and held 7/15/14 for a Work Session)**

RESULT: HELD IN COMMITTEE

14-O-1376 (7) AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2015 (WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052)) BUDGET IN THE AMOUNT OF ONE HUNDRED FORTY-FOUR THOUSAND, SIX HUNDRED SIXTY DOLLARS AND ZERO CENTS (\$144,660.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE RAW WATER TRANSMISSION MAINS PROJECTS; AND FOR OTHER PURPOSES. **(Held 7/29/14) (Held for further review)**

RESULT: HELD IN COMMITTEE

14-O-1392 (8) AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2015 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF EIGHT MILLION FOUR HUNDRED TWENTY-FIVE THOUSAND THREE HUNDRED NINETY-SIX DOLLARS AND ZERO CENTS (\$8,425,396.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVES FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE R. M. CLAYTON COMPLIANCE UPGRADES III DESIGN SERVICES PROJECT; AND FOR OTHER PURPOSES. **(Held 8/26/14 at the request of the Department)**

RESULT: HELD IN COMMITTEE

14-R-4119 (9) A RESOLUTION BY COUNCILMEMBER NATALYN MOSBY ARCHIBONG AS SUBSTITUTED BY CITY UTILITIES COMMITTEE TO AUTHORIZE PAYMENT OF STIPULATED PENALTIES IMPOSED BY THE ENVIRONMENTAL PROTECTION AGENCY ("EPA") AND THE ENVIRONMENTAL PROTECTION DIVISION OF THE DEPARTMENT OF NATURAL RESOURCES OF THE STATE OF GEORGIA ("EPD") IN THE AMOUNT OF THIRTY-SEVEN THOUSAND DOLLARS AND NO CENTS (\$37,000.00) AS STIPULATED PENALTIES FOR A FECAL COLIFORM EXCEEDANCE AT THE CLEAR CREEK CSO CONTROL FACILITY AND EAST AREA CSO (INTRENCHMENT CREEK) ON AUGUST 9, 2014 AND FAILURE TO COLLECT A COMPOSITE SAMPLE AT CUSTER AVENUE CSO ON JULY 19, 2014 PURSUANT TO THE CSO CONSENT DECREE, CIVIL ACTION FILE NO. 1:95-CV-2550-TWT; TO IDENTIFY THE SOURCE OF FUNDING; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE ON SUBSTITUTE

AYES: Archibong, Young, Jr., Adrean, Dickens, Sheperd, Shook, Wan

J. LEGISLATION ITEMS NOT ON THE COMMITTEE
RESOLUTIONS

14-R-4226 (1) A RESOLUTION BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AMENDMENT AGREEMENT NUMBER 16 WITH C. P. RICHARDS CONSTRUCTION COMPANY, INC., FOR FC-4943A, ANNUAL CONTRACT TO CONSTRUCT SIDEWALKS, DRIVEWAYS, CURBS AND GUTTERS, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED TWO HUNDRED TWENTY THOUSAND DOLLARS AND NO CENTS (\$220,000.00); ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE ON CONDITION

AYES: Archibong, Young, Jr., Adrean, Dickens, Sheperd, Shook, Wan

RON SHAKIR, PUBLIC SPEAKER
GENERAL LARRY PLATT, PUBLIC SPEAKER
COMMISSIONER RICHARD MENDOZA, DPW

14-R-4227 (2) A RESOLUTION BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AMENDMENT AGREEMENT NUMBER 26 WITH SD&C, INC., FOR FC-4943D, ANNUAL CONTRACT TO CONSTRUCT SIDEWALKS, DRIVEWAYS, CURBS AND GUTTERS ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS AND NO CENTS (\$200,000.00); ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE ON CONDITION

AYES: Archibong, Young, Jr., Adrean, Dickens, Sheperd, Shook, Wan

COMMISSIONER RICHARD MENDOZA, DPW

14-R-4228 (3) A RESOLUTION BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE AMENDMENT NUMBER 2 FOR CONTRACT FC-6945 WITH STEWART BROTHERS, INC. IN AN AMOUNT NOT TO EXCEED ONE MILLION NINE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$1,900,000.00) FOR STREET RESURFACING PROJECTS AUTHORIZED UNDER THE LOCAL MAINTENANCE AND IMPROVEMENT GRANT PROGRAM FOR THE STATE OF GEORGIA FY14; WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE ON CONDITION

AYES: Archibong, Young, Jr., Adrean, Dickens, Sheperd, Shook, Wan

COMMISSIONER RICHARD MENDOZA, DPW

K. REQUESTED ITEMS

2/28/14

1. The Commissioner of Watershed Management will brief the Chair every two weeks on the Department's Implementation of Measures required by the Department of Homeland Security per Full Council Amendment to Ordinance 14-O-1064 on 2/3/14.

5/13/14

2. The Department of Watershed Management is to review the Tiered structure of the water usage chart to see if it is equitable to all rate payers.

5/27/14

3. Councilmember Wan requested a summary report from the NPUs on Legislation Items 14-O-1240, 14-O-1241 and 14-O-1242.

6/24/14

4. Councilmember Natalyn Archibong made a request to receive updates on the Proctor Creek Program.
5. Councilmember Archibong requested an update on The Sidewalk Pilot Program using other material (recycled rubber) for sidewalks in Candler Park and Lake Claire.
6. Councilmember Shook requested a report on the steps that are being made to recoup funds from BeltLine to the Department of Watershed Management.
 - a. How much money does the Beltline owe the Department of Watershed Management as it relates to the Bellwood Quarry?
7. The members of the City Utilities Committee made the following request:
 - a. Get with Mrs. Berg of the Sidewalk Task Force and provide a breakdown of the \$6,000.00 average sidewalk repair cost mentioned in her presentation. - DPW
 - b. How much has the city spent on bike lanes in the City of Atlanta? DPW
 - c. How much has the city spent on bike lanes in the City of Atlanta? DPW

9/9/14

8. Councilmember Adrean requested the Department of Watershed Management provide a finance plan from the September 4, 2014 Work Session and the copy of the framework that will pay for the Capital Improvement Projects.

9. Councilmember Sheperd requested the Department of Public Works provide a Comprehensive Communication Plan for the Bond Referendum.

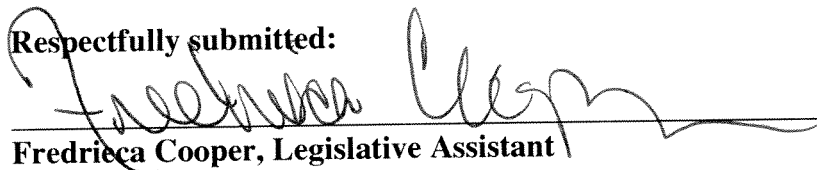
L. PUBLIC COMMENT PERTAINING TO THE WORK OF THE COMMITTEE (2 MINUTES)


RON SHAKIR, PUBLIC SPEAKER

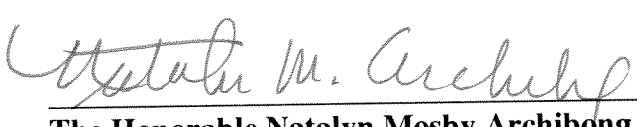
DEACON CASEY CAMERON, PUBLIC SPEAKER

There being no further business to come before the City Utilities Committee the meeting was adjourned at 11:45 AM

Respectfully submitted:


Fredrieca Cooper, Legislative Assistant


Santana Kempson Wright, Research & Policy Analyst


The Honorable Natalyn Mosby Archibong, Chair